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FEDERAL COMMUNICATIONS COMMISSION
 OFFICE OF THE SECRETARY

February 14, 2001

BY HAND DELIVERY

Magalie Roman Salas, Esquire
 Secretary
 Federal Communications Commission
 445 12th Street, S.W., Room TW-B204
 Washington, DC 20554

**Re: Comments of Four Rivers Broadcasting, Inc.
 MM Docket No. 01-4, RM-10020
Willow Creek, California**

Dear Ms. Salas:

Enclosed herewith, on behalf of Four Rivers Broadcasting, Inc., are an original and four copies of its Comments to the above-referenced Petition for Rulemaking.

An extra copy of this filing, marked 'Please Stamp and Return This Copy to Fletcher, Heald & Hildreth,' is enclosed. Please date-stamp this copy and return it with the messenger.

Should there be any questions regarding this matter, kindly communicate directly with the undersigned.

Very truly yours,
 FLETCHER, HEALD & HILDRETH, P.L.C.


 Alison J. Shapiro
 Counsel for Four Rivers Broadcasting, Inc.

Enclosure

cc: Mr. John A. Karousos, FCC (w/encl.)
 Mr. R. Barthen Gorman, FCC (w/encl.)
 Mr. Bryan A. King (w/encl.)

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**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

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FEB 14 2001

**FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY**

In the Matter of)
Amendment of Section 73.202(b))
Table of Allotments,)
FM Broadcast Stations.)
(Willow Creek, California))
_____)

MM Docket No. 01-4
RM-10020

To: Chief, Allocations Branch

COMMENTS OF FOUR RIVERS BROADCASTING, INC.

Four Rivers Broadcasting, Inc. ("Four Rivers"), by counsel, and pursuant to Section 1.415 of the Commission's rules, hereby respectfully submits these comments in response to the Commission's Notice of Proposed Rulemaking (the "Notice")¹, released January 12, 2001, in the above-captioned proceeding. The Notice proposes to amend the FM Table of Allotments to add Channel 295A to Willow Creek, California, instead of the channel originally requested by Four Rivers, as that community's first local aural transmission service. Thus, the Notice proposes to amend Section 73.202(b) of the Commission's rules as follows:

Channel No.

<u>City</u>	<u>Present</u>	<u>Proposed</u>
Willow Creek, California	-----	295A

A staff analysis has concluded that Channel 295A can be allotted to Willow Creek,

¹ In the Matter of Amendment of Section 73.202(b) Table of Allotments, FM Broadcast Stations (Willow Creek, California), MM Docket No. 01-4, RM-10020 (released January 12, 2001).

California, consistent with Sections 73.207(b)(1) and 73.315(a) of the Commission's Rules at the center city coordinates for Willow Creek, namely, 40-56-24 NL and 123-37-48 WL. While Channel 295A is a technically viable channel, Four Rivers would prefer that the Commission instead allot Channel 253A to Willow Creek because Channel 253A has potential for upgrade, whereas Channel 295A does not. Thus, Four Rivers proposes to amend Section 73.202(b) of the Commission's rules as follows:

<u>Channel No.</u>		
<u>City</u>	<u>Present</u>	<u>Proposed</u>
Willow Creek, California	-----	253A

As demonstrated in the engineering exhibit attached hereto, the reference coordinates for the proposed alternate Channel 253A at Willow Creek meet the minimum distance separation requirements with respect to all known licenses, construction permits, pending applications, and pending rulemaking proceedings. Furthermore, the Channel 253A Willow Creek allotment reference site complies with the minimum spacing requirements contained in Section 73.207 of the Commission's rules.

As stated in Four Rivers' Petition, the addition of a channel at Willow Creek, California will provide Willow Creek with its first local aural transmission service. Currently, there are no other commercial or noncommercial stations licensed to Willow Creek. Thus, the addition of this allotment at Willow Creek will promote the objectives of Section 307(b) of the Communications Act by seeking to achieve a fair, efficient and equitable distribution of

broadcast stations among the various states and communities.²

In the event that the allotment of Channel 253A at Willow Creek, California is granted, Four Rivers will file an application for a construction permit for the new station, and, if authorized, will promptly construct the new facility.

WHEREFORE, in light of the foregoing, Four Rivers Broadcasting, Inc., respectfully requests that the Commission AMEND the FM Table of Allotment, and ALLOT Channel 253A to Willow Creek, California, instead of Channel 295A as proposed by the Commission in its Notice, as that community's first full-time local aural transmission service.

Respectfully submitted,

FOUR RIVERS BROADCASTING, INC.

By: 

Howard M. Weiss
Alison J. Shapiro

Its Counsel

Fletcher, Heald & Hildreth, P.L.C.
1300 North 17th Street, 11th Floor
Arlington, Virginia 22209
(703)812-0400

February 14, 2001

² We note that on January 31, 2001, BK Radio filed Comments in this proceeding in support of the allotment of Channel 254A to Willow Creek, California. To the extent necessary, Four Rivers will address the substantive issues raised in BK Radio's Comments in its Reply Comments due March 20, 2001.

**ORIGINAL FOR
FILING WITH FCC**

Prepared by:

Graham Brock, Inc.

Broadcast Technical Consultants

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GRAHAM BROCK, INC.

BROADCAST TECHNICAL CONSULTANTS

TECHNICAL COMMENTS
MM DOCKET # 01-4
FOUR RIVERS BROADCASTING, INC.
ALLOT CHANNEL 253A
WILLOW CREEK, CALIFORNIA
February 2001

TECHNICAL EXHIBIT

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TECHNICAL COMMENTS
MM DOCKET # 01-4
FOUR RIVERS BROADCASTING, INC.
ALLOT CHANNEL 253A
WILLOW CREEK, CALIFORNIA
February 2001

TECHNICAL STATEMENT

1. This technical statement and attached exhibits were prepared on behalf of Four Rivers Broadcasting, Inc. ("FRB"). FRB is the petitioner in MM Docket #01-4, wherein it requested the allotment of Channel 254A to Willow Creek, California. The allotment of the channel will provide Willow Creek with its first local transmission service.

Discussion

2. In the Notice of Proposed Rule Making, the Commission stated that Channel 254A was not available for allotment to Willow Creek, due to a shortspace to a proposed one-step application at Keno, Oregon. The Commission suggested the allotment of Channel 295A as an alternate channel. FRB herein requests the Commission amend §73.202 of its rules by allocating Channel 253A to Willow Creek, California, in lieu of Channel 295A. A review of spacings with respect to Channel 253 indicates the potential for a future upgrade to Class B1, whereas Channel 295 is precluded from similar improvement.

Request

3. Channel 253A can be allotted to Willow Creek, California, with a site restriction of 2.7 kilometers east of the community to avoid shortspacing KAJK-FM, Channel 256C1, Ferndale, California, at reference coordinates North Latitude 40° 55' 30" and West Longitude

123° 35' 35". These are the same coordinates originally proposed for Channel 254A. As shown on Exhibit #1, Channel 253A meets the Commission's minimum distance separation requirements to all licensed, applied for or proposed facilities. From the proposed reference site, a 3.16 mV/m contour will be delivered to Willow Creek.

4. Therefore, FRB requests the following amendment to §73.202 of the Commission's rules:

Willow Creek. California

<u>Present</u>	<u>Proposed</u>
None	253A

5. The allotment of Channel 253A to Willow Creek will provide first local service to the community. A maximum Class A operating from the proposed reference site will deliver 60 dBu service to 5,246 persons in 2,516.1 square kilometers.¹ When Channel 253A is allotted to Willow Creek, FRB will submit to the FCC the necessary application or form stating its intention to construct a new FM station on Channel 253A at Willow Creek.

6. The foregoing technical statement was prepared on behalf of Four Rivers Broadcasting, Inc., by Graham Brock, Inc., its Technical Consultants. All of the information contained herein is true and accurate to the best of our belief and knowledge. All data related to FM facilities was extracted from the CDBS database. We assume no liability for errors or omissions in the database which may adversely affect the requests contained herein.

1) Based on a maximum non-directional Class A service radius of 28.3 kilometers.

TECHNICAL COMMENTS
MM DOCKET # 01-4
FOUR RIVERS BROADCASTING, INC.
ALLOT CHANNEL 253A
WILLOW CREEK, CALIFORNIA
February 2001

EXHIBIT #1

ALLOCATION STUDY FOR WILLOW CREEK, CALIFORNIA
 USING PROPOSED ALLOCATION SITE AS REFERENCE

REFERENCE		DISPLAY DATES
40 55 30 N	CLASS A	DATA 02-01-01
123 35 35 W	Current rules spacings	SEARCH 02-08-01
----- CHANNEL 253 - 98.5 MHz -----		

CALL TYPE	CH# LAT	CITY LNG	STATE PWR	BEAR' HT	D-KM D-Mi	R-KM R-Mi	MARGIN (KM)
RADD	253A	Willow Creek	CA	0.0	0.00	115.0	-115.00
ADD	40 55 30	123 35 35	0.000 kW	0M	0.0	71.5	
RM-10020							
KAJKFM	256C1	Ferndale	CA	231.3	75.12	75.0	0.12
LIC CN	40 30 03	124 17 08	6.000 kW	523M	46.7	46.6	
Miller Broadcasting Company BLH-19961202KB							
KVIPFM	251C	Redding	CA	108.1	95.20	95.0	0.20
LIC CN	40 39 18	122 31 21	30.000 kW	521M	59.2	59.0	
Pacific Cascade Communication BMLED-19971006KC							
KSAY	253B1	Fort Bragg	CA	185.0	162.45	143.0	19.45
LIC CN	39 28 03	123 45 34	3.500 kW	138M	101.0	88.9	
Axell Broadcasting BLH-19960507KB							
950206	254C1	Keno	OR	45.2	186.44	133.0	53.44
APP CX	42 05 43	121 59 31	16.000 kW	587M	115.9	82.7	
Fatima Response, Inc. BPED-19950206MH							
AVAC	250C2	Crescent North	CA	334.0	109.24	55.0	54.24
VAC N	41 48 25	124 10 16	0.000 kW	0M	67.9	34.2	
KLDR	252C2	Harbeck-fruitdale	OR	9.2	164.00	106.0	58.00
LIC CN	42 22 56	123 16 29	1.850 kW	638M	101.9	65.9	
Grants Pass Broadcasting Corp BLH-19930505KA							
RADD	254C1	Keno	OR	45.5	192.53	133.0	59.53
ADD	42 07 30	121 55 42	0.000 kW	0M	119.7	82.7	
950206	253A	Keno	OR	46.0	186.26	115.0	71.26
APP CX	42 04 38	121 58 20	0.220 kW	507M	115.8	71.5	
Renaissance Community Improv. BPED-19950206MB							
950206	253A	Keno	OR	46.0	186.26	115.0	71.26
APP CX	42 04 38	121 58 20	0.220 kW	507M	115.8	71.5	
Renaissance Community Improv. BPED-19950206MB							
950206	254C1	Keno	OR	45.1	206.67	133.0	73.67
APP CX	42 13 23	121 49 03	52.000 kW	212M	128.4	82.7	
Renaissance Community Improv. BPED-19950206MB							

AFFIDAVIT AND QUALIFICATIONS OF CONSULTANT

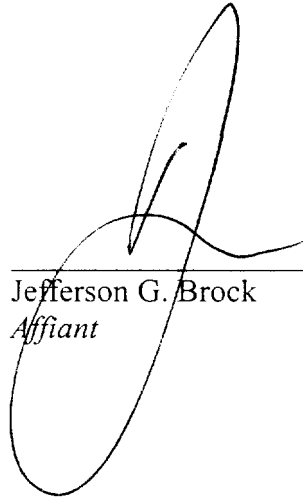
State of Georgia)
St. Simons Island) ss:
County of Glynn)

JEFFERSON G. BROCK, being duly sworn, deposes and says that he is an officer of Graham Brock, Inc. Graham Brock has been engaged by Four Rivers Broadcasting, Inc., to prepare the attached Technical Exhibit.

His qualifications are a matter of record before the Federal Communications Commission. He has been active in Broadcast Engineering since 1979.

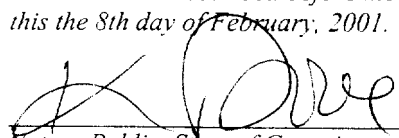
The attached report was either prepared by him or under his direction and all material and exhibits attached hereto are believed to be true and correct.

This the 8th day of February, 2001.



Jefferson G. Brock
Affiant

*Sworn to and subscribed before me
this the 8th day of February, 2001.*



Notary Public, State of Georgia
My Commission Expires: April 20, 2002

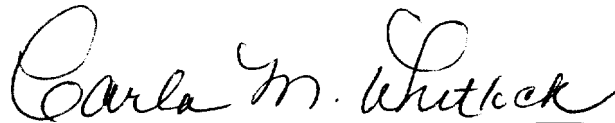
CERTIFICATE OF SERVICE

I, Carla Whitlock, a secretary in the law firm of Fletcher, Heald & Hildreth, do hereby certify that a true copy of the foregoing *Comments of Four Rivers Broadcasting, Inc.* was sent this 14th day of February 2001, via hand delivery and United States First Class Mail, postage prepaid, on the following:

Mr. John A. Karousos*
Federal Communications Commission
445 12th Street, S.W.
Room 2-A266
Washington, D.C. 20554

Mr. R. Barthen Gorman*
Federal Communications Commission
445 12th Street, S.W.
Room 3-A224
Washington, D.C. 20554

Mr. Bryan A. King
Partner, BK Radio
1809 Lightsey Road
Austin, Texas 78704

A handwritten signature in cursive script that reads "Carla M. Whitlock". The signature is written in black ink and is positioned above a horizontal line.

Carla Whitlock

*By Hand